

Message Text

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ACTION ACDA-10

INFO OCT-01 EUR-12 IO-10 ISO-00 AEC-05 CIAE-00 H-01 INR-05

L-02 NSAE-00 OIC-02 OMB-01 PA-01 PM-03 PRS-01 SAJ-01

SAM-01 SP-02 SS-15 USIA-06 TRSE-00 RSC-01 NSC-05 /085 W

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R 141810Z NOV 74

FM AMEMBASSY BONN

TO SECSTATE WASHDC 6280

INFO AMEMBASSY LONDON

AMEMBASSY PARIS

AMEMBASSY ROME

AMEMBASSY BRUSSELS

AMEMBASSY THE HAGUE

AMEMBASSY LUXEMBOURG

AMEMBASSY DUBLIN

AMEMBASSY COPENHAGEN

USMISSION IAEA VIENNA

C O N F I D E N T I A L BONN 17873

E.O. 11652: GDS

TAGS: PARM, GW, IT

SUBJECT: THE ITALIAN NPT PROBLEM: BIATERAL
CONSULTATIONS IN BONN

REF: (A) BONN 16877, (B) IAEA 9205

BEGIN SUMMARY: DURING THE COURSE OF GERMAN-ITALIAN
SECURITY AND ARMS CONTROL CONSULTATIONS IN BONN ON
NOVEMBER 12-13, THE PROSPECTS FOR ITALIAN RATIFICATION
OF THE EURATOM-IAEA SAFEGUARDS AGREEMENT AND THE NPT
WERE DISCUSSED, WITH THE ITALIANS EXPRESSING HOPE THAT
THE FORMER WOULD BE RATIFIED BEFORE THE END OF 1974
AND THE LATTER BY SEPTEMBER 1975 AT THE LATEST. THE
ITALIANS ALSO BRIEFED THE FRG ON THEIR LEGAL APPROACH
AT IAEA TO THE PROBLEM. END SUMMARY

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1. FRG DISARMAMENT COMMISSIONER ROTH HAS ADVISED US THAT ITALIAN FONOFF POLITICAL DIRECTOR DUCCI VISITED BONN ON NOVEMBER 12-13 FOR GENERAL CONSULTATIONS ON SECURITY AND ARMS CONTROL ISSUES. ONE OF THE PRINCIPAL SUBJECTS DISCUSSED WAS THE CURRENT ITALIAN APPROACH TO

RATIFYING THE NPT. ROTH SAID BOTH THE FRG AND THE BRITISH HAD MADE DEMARCHES IN ROME (REFTEL A), BUT IT WAS QUITE EVIDENT DURING THE DISCUSSIONS IN BONN THAT THE ITALIANS HAVE BECOME HIGHLY SENSITIVE TO THE PRESSURE EXERTED BY THEIR EC 9 COLLEAGUES. THE POINT

MAY NOW HAVE BEEN REACHED WHERE ADDITIONAL PRESSURE COULD BECOME COUNTER-PRODUCTIVE.

2. DUCCI'S LINE OF ARGUMENT WAS THAT IT REMAINS ITALIAN

POLICY TO RATIFY THE NPT, BUT THAT INTERMITTENT GOVERNMENTAL CRISES HAVE UNFORTUNATELY DELAYED THE PROCESS. DUCCI DOES NOT BELIEVE THE NPT SHOULD BE SENT TO PARLIAMENT UNTIL SUCH TIME AS THE IAEA-EURATOM SAFEGUARDS AGREEMENT HAS BEEN RATIFIED. DUCCI'S BEST

ESTIMATE IS THAT THS WILL BE ACCOMPLISHED BEFORE THE END OF THE YEAR. IMMEDIATELY AFTER RATIFICATION, HE SAD THE NPT WOULD BE SENT TO THE LEGISLATURE, WITH ACTION EXPECTED TO BE TAKEN WITHIN ANYWHERE FROM THREE TO NINE MONTHS.

3. THE GERMANS REEMPHASIZED THE DILEMMA THEY WERE IN AND THE NEED FOR FASTER ITALIAN ACTION TO HELP RESOLVE THE PROBLEM. ROTH POINTED OUT TO DUCCI THAT THE DUTCH GOVERNMENT IS UNDER A GREAT DEAL OF PRESSURE TO DEPOSIT ITS NPT INSTRUMENTS OF RATIFICATION BY THE END OF 1974.

4. ROTH THEN DESCRIBED THE NEW ITALIAN LEGAL INTERPRETATION OF THE NPT. HE SAID THE ITALIANS ARGUED THAT SINCE THE PREAMBLE OF THE NPT REFERS TO "SIGNATORIES" (COMMENT: WE CANNOT FIND THE WORD "SIGNATORIES" IN OUR COPY OF THE TEXT OF THE TREATY), IT WOULD BE POSSIBLE TO CONFIDENTIAL

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PLACE THE AGREEMENT INTO FORCE AND SUSPEND THE PROVISIONS OF ARTICLE 25(B) TEMPORARILY.

(COMMENT: THIS APPEARS TO BE THE SAME APPROACH AS DESCRIBED IN REFTEL B.) ROTH SAID HE WAS NOT IMPRESSED BY THIS BLATANTLY ARTIFICIAL ATTEMPT BY THE ITALIANS TO ESCAPE FROM THEIR LEGAL DIFFICULTIES. ROTH CLAIMS HE SO INFORMED THE ITALIANS. HE THEN RESTATED THE GERMAN LEGAL POSITION THAT THE EURATOM-IAEA VERIFICATION

AGREEMENT CANNOT BECOME EFFECTIVE UNTIL ALL EC MEMBERS WHO HAVE SIGNED THAT AGREEMENT HAVE ALSO RATIFIED THE NPT.

5. ROTH SAID THAT MR. NETTI IN THE ITALIAN DELEGATION DESCRIBED THE ONGOING DISCUSSIONS IN IAEA ABOUT THE NEW ITALIAN EGAL APPROACH. NETTI CLAIMED THE IAEA HAD SHOWN INTEREST IN THE ITALIAN PROPOSAL. THIS WAS APPARENTLY THE FIRST TIME ROTH HAD HEARD OF THE ITALIAN INITIATIVE IN VIENNA, AND HE ASKED THE ITALIANS TO KEEP HIM INFORMED OF THESE DISCUSSIONS.
HILLENBRAND

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